

REMARKS

Claims 2, 7 through 17, and 19 through 23 are pending in the application. Claims 1, 3 through 6, and 18 have been canceled, and Claims 22 and 23 are new. Claims 11 through 17, and 19 through 21 have been allowed. Claims 1 through 4 have been finally rejected, and Claims 5 through 10 have been finally objected to. The final rejection of Claims 1 through 4, and the final objection to Claims 5 through 10 are respectfully traversed.

Claims 1 and 4 have been finally rejected under 35 U.S.C. § 102(b) as being anticipated by Edison. In making the final rejection, the Examiner stated that "Edison discloses in figures 1-3 a restraining apparatus for treating of animals (a safety shield) comprising a rigid planar member 14, the planar member is movable vertically (the chain 68 allows the planar member to be moved vertically), and a supporting cross member 28."

Responsive to the final rejection under 35 U.S.C. § 102(b), Claims 1 and 4 have been canceled. The cancellation of Claims 1 and 4 is believed to obviate the § 102(b) rejection.

Claims 2 and 3 have been finally rejected under 35 U.S.C. § 103 as being unpatentable over Edison in view of Ricketts. In making out the rejection, the Examiner stated that "Edison discloses . . . a restraining apparatus for treating animals (a safety shield) further comprising a handle 64. However, Edison does not disclose the rigid planar member being made of stainless steel. Ricketts teaches in figures 1-2 an animal restraint that can be made of stainless steel (col. 5, lines 6-11). It would have been obvious to one having ordinary skill in the art at the time that the invention was made that the shield as disclosed by Edison could be fabricated of stainless steel as taught by Ricketts. The stainless steel would be durable enough to hold and [sic] animal in place, yet it would also resist corrosion.

Responsive to the final rejection under § 103, Claim 3 has been canceled, and Claim 2 has been amended to depend upon new Claim 22. The cancellation of Claim 3 and the amendment to Claim 2 are believed to obviate the rejection.

New Claims 22 and 23 are presented herewith for the Examiner's review and consideration. New Claim 22 is a consolidation of canceled Claims 1, and 3 through 6, wherein Claims 2, and 7 through 10 are dependent thereupon. No new matter has been added to the claims by these new claims. Antecedent basis for the new claims, and amendments to Claims 2 and 7 can be found in canceled Claims 1, and 3 through 6, as well as the specification at page 1, line 15 through page 4, line 18. New Claim 22 incorporates all the features of canceled Claims 1, and 3 through 6, and has been written to overcome the prior art of record, i.e. Edison and Ricketts. Neither Edison nor Ricketts anticipate or teach a safety shield for removable attachment to a cross member of a restraint chair for protecting workers when working with non-human primates as claimed in new Claim 22. New Claim 23, dependent from Claim 11, recites a handle attached to the rigid planar member.

Claim 2 has been amended to depend upon new Claim 22 and recites the various materials from which the rigid planar member can be fabricated. Claim 7 has been amended to depend upon Claim 2 and recites removable locking means for attaching the notched supporting member to the supporting cross member of the chair. Claim 8 has been amended to better recite that the metal alloy is stainless steel. Claim 9 has been amended to recite a plurality of animals. Claim 10 has been amended to better recite that the handle is attached to the rigid planar member.

Claim 11 has been amended in the preamble to recite a shield for a restraint chair. The body of Claim 11, part b) has been amended to recite that the notched support member is attached to the second surface of the rigid planar member, and the wherein clause has been deleted and incorporated into Claim 11, part c). Claim 11, part c) has been amended to recite a supporting cross member of the chair, wherein the notched

support member is removable attached to the supporting cross member. Claim 11, part d) has been amended to recite the clamping means previously recited in part c). Claim 11, part e) has been amended to recite the locking means previously recited in part d), and details of how the locking means connect the notched support member and supporting cross member, via the clamping means, together. The wherein clause of Claim 11 recited that the rigid planar member is fabricated from metal alloys. Claim 12 has been amended to better recite the materials from which the rigid planar shield is fabricated. Claim 13 has been amended to better recite the 'notched support member, correct the spelling of 'aligned', and specify the 'second surface' of the rigid planar member for attachment of the notched support member. Claim 14 has been amended to better recite the 'notched support member'. Claim 15 has been amended to recite the 'rectangular brackets' and 'notched support member'. Claim 17 has been amended to show that the rigid planar member is 'vertically positioned'. Claim 19 has been amended to recite that the handle is attached to the first side of the 'rigid planar member'. Claim 20 has been amended to recite that the metal alloy is stainless steel.

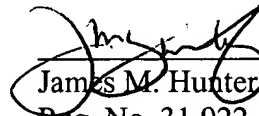
Allowed Claim 21 has been amended to correct typographical errors, and the proper components of the apparatus have been incorporated into the claim, i.e. "notched support members", "vertically positioned, rigid planar member", and "horizontally positioned, rigid planar member". The preamble of Claim 21 has been amended to limit the invention to "an animal restraint chair". Antecedent basis for the phrase "notched support members" can be found on page 2, lines 24 through 25 of the specification. Antecedent basis for the phrase "vertically positioned, rigid planar member" can be found on page 3, line 24 of the specification. Antecedent basis for the phrase "horizontally positioned, rigid planar member" can be found on page 5, line 5 of the specification. Antecedent basis for the phrase "handle is attached to the first end of the rod, wherein the second end of the rod is suitable for removably fitting through the holes of the notched support members" can be found on page 3, lines 11 through 13 of the specification.

CONCLUSION

Entry of the amendments hereof, reconsideration and allowance of Claims 2, 7 through 17, and 19 through 23, all the claims in the case, are respectfully requested. No additional fees are believed to be due for this amendment. However, if any additional fees are due, the Examiner is authorized to deduct such fees from Deposit Account No. 13-2755.

Should the Examiner have any questions or wish to discuss this Amendment, he is request to contact Applicants' undersigned representative at his earliest convenience.

Respectfully submitted,

  
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